

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6249

FRANCIS RUSSELL HOLLEY,

Plaintiff - Appellant,

versus

MICHAEL SMITH, R.N.; BERNADETTE MORGAN, Lieu-
tenant; PRISONER HEALTH SERVICE SYSTEM, INCOR-
PORATED; VALARIE BRISCO, P.A.; FRANK PARIS,
P.A.; LEE R. CARTER, Sergeant,

Defendants - Appellees,

and

DAVID KALICK; NEWTON KENDING, Dr.; EUGENE
NUTH, Warden; MARYLAND STATE PENITENTIARY
HOSPITAL; BALTIMORE CITY POLICE DEPARTMENT;
CAROL ANN JACKSON; E. SAMUEL, Correctional
Officer II,

Defendants.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. John R. Hargrove, Senior District Judge.
(CA-96-1779-HAR)

Submitted: August 28, 1997

Decided: September 16, 1997

Before WILKINS, WILLIAMS, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Francis Russell Holley, Appellant Pro Se. John Joseph Curran, Jr., Attorney General, Glenn William Bell, OFFICE OF THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland; Joseph Barry Chazen, Douglas Conrad Meister, MEYERS, BILLINGSLEY, RODBELL & ROSENBAUM, P.A., Riverdale, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellant appeals the district court's order denying relief on his 42 U.S.C. § 1983 (1994) complaint. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Holley v. Smith, No. CA-96-1779-HAR (D. Md. Jan. 3 & 9, 1997). We deny Appellees' motion to dismiss the appeal as untimely because Appellant's notice of appeal was timely under Fed. R. App. P. 4(c). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED